

Message

From: Schadel, Chuck [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03560FE66A634057A4B852B342DF2F87-CSHADEL]
Sent: 4/5/2022 2:03:05 AM
To: Rogers, Rick [rogers.rick@epa.gov]
Subject: RE: Lawson Road Delaware

Sorry, just saw this. Compressed Day today.

From: Rogers, Rick <rogers.rick@epa.gov>
Sent: Monday, April 04, 2022 11:59 AM
To: Gold, Peter <Gold.Peter@epa.gov>; Duffy, Jessica <Duffy.Jessica@epa.gov>; Schadel, Chuck <Schadel.Chuck@epa.gov>
Subject: RE: Lawson Road Delaware

Pete, Chuck – would either of you be available at 1:00 pm today? I'd like to hear how the Inland Bays WWTP inspection went.

If your not available then, I'll look for some time tomorrow.

Thanks,

Rick



Rick Rogers
Chief, Water Branch
Enforcement and Compliance Assurance Division
US EPA Mid-Atlantic Region
Phone 215-814-5711
Cell 215-341-4762
Email rogers.rick@epa.gov



From: Gold, Peter <Gold.Peter@epa.gov>
Sent: Monday, April 04, 2022 8:41 AM
To: Duffy, Jessica <Duffy.Jessica@epa.gov>; Rogers, Rick <rogers.rick@epa.gov>; Schadel, Chuck <Schadel.Chuck@epa.gov>
Subject: RE: Lawson Road Delaware

Jessica,

We asked Adam to keep us updated on this and let us know when the letter goes out. We will keep you a Rick updated on this. Thanks

From: Duffy, Jessica <Duffy.Jessica@epa.gov>
Sent: Monday, April 04, 2022 8:03 AM
To: Rogers, Rick <rogers.rick@epa.gov>; Gold, Peter <Gold.Peter@epa.gov>; Schadel, Chuck <Schadel.Chuck@epa.gov>
Subject: RE: Lawson Road Delaware

Thank you both for the update. I know Chuck brought this up to me on Friday as an issue to potentially bring to Karen's attention. Ex. 5 Deliberative Process (DP)

 Do either of you know if the state's letter will have any deadlines so we can get an idea of when the state plans to return?

On a side note: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks again,
Jess

From: Schadel, Chuck <Schadel.Chuck@epa.gov>

Sent: Sunday, April 3, 2022 9:45 PM

To: Rogers, Rick <rogers.rick@epa.gov>; Gold, Peter <Gold.Peter@epa.gov>; Duffy, Jessica <Duffy.Jessica@epa.gov>

Subject: RE: Lawson Road Delaware

Sure

From: Rogers, Rick <rogers.rick@epa.gov>

Sent: Sunday, April 03, 2022 9:40 PM

To: Schadel, Chuck <Schadel.Chuck@epa.gov>; Gold, Peter <Gold.Peter@epa.gov>; Duffy, Jessica <Duffy.Jessica@epa.gov>

Subject: RE: Lawson Road Delaware

Thanks, Chuck!



Rick Rogers
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From: Schadel, Chuck <Schadel.Chuck@epa.gov>

Sent: Sunday, April 03, 2022 9:32 PM

To: Rogers, Rick <rogers.rick@epa.gov>; Gold, Peter <Gold.Peter@epa.gov>; Duffy, Jessica <Duffy.Jessica@epa.gov>

Subject: RE: Lawson Road Delaware

Ms indicated that there had been a creek between her property and the property being discussed, but the creek looks filled in. Hydric soils appeared to be present along the bank, so that

Ex. 5 Deliberative Process (DP)

From: Rogers, Rick <rogers.rick@epa.gov>

Sent: Sunday, April 03, 2022 9:10 PM

To: Gold, Peter <Gold.Peter@epa.gov>; Duffy, Jessica <Duffy.Jessica@epa.gov>

Cc: Schadel, Chuck <Schadel.Chuck@epa.gov>

Subject: RE: Lawson Road Delaware

Pete and Chuck,

Thanks for doing this inspection and for the summary report. I didn't realize that you had not gotten in contact with the owner of the site. I am glad, though, that DNREC will do a follow-up visit with their criminal investigator. What seemed to be the most concern raised by the citizen who has been contacting us is the dumping of liquids on the property. The fact that Ms. [REDACTED] mentioned tankers going back there; [REDACTED]

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

The back end of the property has a pond. Historical aerial imagery seems to indicate its been filled in. If that is a wetland, I can ask our Wetlands staff to investigate that property if DNREC doesn't have authority.

I'll catch up with you this week about the Inland Bays WWTP inspection and to hear if you saw anything dumped along Lawson Road.

Rick



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Enforcement and Compliance Assurance Division
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From: Gold, Peter <Gold.Peter@epa.gov>
Sent: Sunday, April 03, 2022 1:56 PM
To: Rogers, Rick <rogers.rick@epa.gov>; Duffy, Jessica <Duffy.Jessica@epa.gov>
Cc: Schadel, Chuck <Schadel.Chuck@epa.gov>
Subject: Lawson Road Delaware

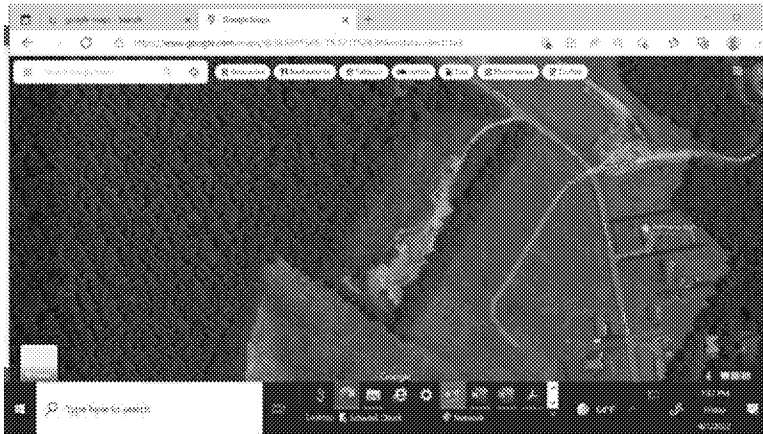
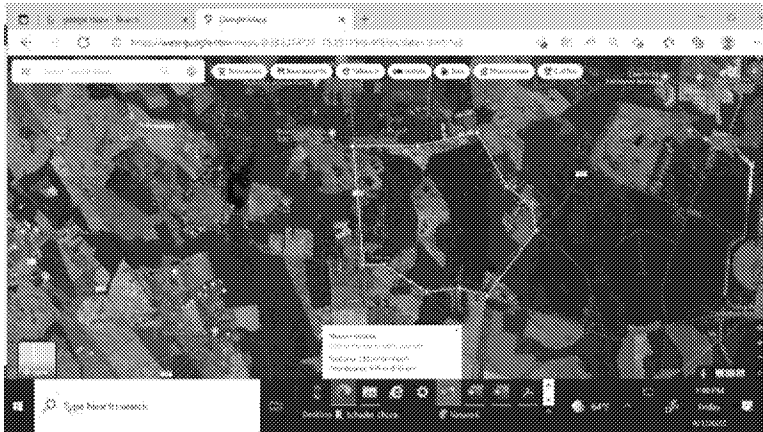
Rick and Jessica,

On Thursday, Chuck and I conducted an inspection of the Lawson Road Site (County Assessment Unit 234-21.00-139.00). The County has this property belonging to RB Hauling, no web presence or phone number found online. Chuck and I met DNREC (Representatives from water and solid waste) at the property at approximately 9:30 am for an unannounced inspection. The gate to the property was locked but we were able to observe a large pile of wood debris (logs and potentially utility poles) and sediment. There was no obvious discharge from the site to the roadway or swales. We never entered the site, we checked the swales along Lawson Road at the front of the site and found no evidence of offsite migration into these swales. We then drove on public roads around the site looking at swales along the road for evidence of sedimentation and were not able to find any evidence. Below are two maps Chuck was created of the site aerial and documenting the area we drove around the site.

Upon returning to the site a local resident was waiting for us in their car. The resident informed us of the contact they had for the site as a Davidson Construction of Haberson DE. The resident informed us that trucks are coming to the site to drop off cement once or twice a week during work hours. The resident informed us they believe tar/asphalt may sometimes be sent to the site and that very rarely a tanker truck may go to the site. The resident informed us of gun

shots being heard from the property sometimes in the evening. The resident allowed us to look at the fill material from their property, which gave us a little bit more scope of the size of the material.

Adam Schlacter of DNREC felt [REDACTED] **Ex. 5 Deliberative Process (DP)** and was going to take the lead in contacting Davidson Construction and conducting another site visit potentially with DNREC's Criminal Group in the coming weeks. Adam updated us on his actions on Friday afternoon which I have attached. DNREC is sending letters to RB Hauling and Davidson Construction requesting that they work with DNREC in scheduling an inspection. DNREC would like their Environmental Crimes Unit be attend the future inspection, [REDACTED] **Ex. 5 Deliberative Process (DP)** [REDACTED] **Ex. 5 Deliberative Process (DP)** We are requesting to be kept informed of DNREC actions related to the site. Thanks



ad

Peter Gold
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Email gold.peter@epa.gov